

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SAM BEILUE,

Plaintiff,

vs.

Civ. No. 97-1309 MV/WWD

UNITED PARCEL SERVICE, INC., and
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL NO. 492,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion for Order For Sanctions Against Defendants for Failure to Make Rule 26(a) Disclosures [docket #26]. The motion has been abandoned with respect to United Parcel Service, Inc. No response to the motion on behalf of Defendant International Brotherhood of Teamsters, Local No. 492, has been filed. I accept the representations made in the motion and in the brief in support of the motion as true. Defendant International Brotherhood of Teamsters has failed to make Rule 26(a) disclosures as required by the Federal Rules of Civil Procedure. Under the circumstances here presented, an award of Plaintiff's attorney fees in connection with the instant motion would be an appropriate sanction against Defendant International Brotherhood of Teamsters, Local No. 492. I find that reasonable attorney fees for the preparation of the instant motion and supporting memorandum would be \$200.00.

WHEREFORE,

IT IS ORDERED that on or before March 31, 1998, Defendant International Brotherhood of Teamsters, Local No. 492, shall pay to Plaintiff, as attorney fees in connection with the instant motion, the sum of \$200.00.

IT IS FURTHER ORDERED that on or before March 31, 1998, Defendant International Brotherhood of Teamsters, Local No. 492, shall serve on Plaintiff all disclosures due pursuant to Fed. R. Civ. P. 26(a).


UNITED STATES MAGISTRATE JUDGE